

1 **A. I probably did.**  
 2 **Q.** Who?  
 3 **A. Well, let's take a look at the letter.**  
 4 **Q.** Tell me who.  
 5 **A. I have to look, Counsel. Give me a minute.**  
 6 **Q.** Okay.  
 7 **A. I told Newtown Township Supervisors.**  
 8 **Q.** Can you describe the word, the statutes that  
 9 you're referring to? Did you use those words anywhere  
 10 that you said he lacked police powers under the Statute?  
 11 **MR. HENZES:** That's not what he said. That  
 12 has nothing to do with the policy.  
 13 **MR. PURICELLI:** You don't use the word  
 14 jurisdiction.  
 15 **MR. HENZES:** That's what he used. I'm  
 16 clearing up your question. You asked him who did he  
 17 tell didn't have jurisdiction.  
 18 **MR. PURICELLI:** You want to read the  
 19 question back? We talked about statute title, not the  
 20 word just jurisdiction.  
 21 **THE WITNESS:** Read the question back.  
 22 **BY MR. PURICELLI:**  
 23 **Q.** Major, you keep telling me.  
 24 **A. Okay. Those are the words I used, Counsel.**  
 25 **Q.** I know the words you used. Did you cite the

1 **A. I'm sorry. I don't get your question, sir.**  
 2 **Q.** I didn't think you would.  
 3 **MR. HENZES:** Then why would you ask such a  
 4 question?  
 5 **MR. PURICELLI:** To see what his response  
 6 would be.  
 7 **BY MR. PURICELLI:**  
 8 **Q.** Did you consult with any Statutes at all in your  
 9 adjudication of the Christopher Bush complaint?  
 10 **A. I may have. I don't recall.**  
 11 **Q.** If you had, wouldn't there be a record of it?  
 12 **A. That I looked something up?**  
 13 **Q.** Yes.  
 14 **A. No. There would be no record of that, Counsel.**  
 15 **Q.** What are you required to utilize to make  
 16 adjudication under your own regulations?  
 17 **A. I don't know what I'm limited to. You'd like to**  
 18 **show me, I'd be glad.**  
 19 **Q.** We're going to get to the regulations, Major.  
 20 Rest assure of that.  
 21 In the course of your review of the 108, there is  
 22 a second page, an allegation about comments attributed  
 23 to Sergeant Tripp, correct?  
 24 **A. Yes.**  
 25 **Q.** Okay. Did you delegate to Hile the task to find

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1 State Wide Municipal Police Jurisdiction Act?  
 2 **A. Did I cite it?**  
 3 **Q.** Yes.  
 4 **A. No, sir.**  
 5 **Q.** That is what you were looking at. Your attorney  
 6 was asking the Chief Counsel to look at it, wasn't it?  
 7 **A. The attorney asked Chief Counsel to look at those**  
 8 **sections, yes.**  
 9 **Q.** You asked to look at that after this lawsuit got  
 10 started, correct?  
 11 **A. These, specifically?**  
 12 **Q.** Yes.  
 13 **A. Yes, those specific sections.**  
 14 **Q.** This lawsuit was started after you wrote your  
 15 July 31st, 2007 letter. Is that true?  
 16 **A. Yes.**  
 17 **Q.** Why didn't you use specific Statute names or at  
 18 least their numbers in these letters if you knew about  
 19 it?  
 20 **A. Because I don't think I needed to.**  
 21 **Q.** You needed to be specific, didn't you?  
 22 **A. I was specific in my mind.**  
 23 **Q.** If you were specific and you knew the Statute  
 24 names and numbers, why did research have to be done to  
 25 find them?

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1 out whether Tripp did or didn't make these statements?  
 2 **A. I don't know what I did specifically, other than**  
 3 **to assign him to the case.**  
 4 **Q.** Did you provide any documents to Hile whatsoever,  
 5 the scope of his investigation, what he is supposed to  
 6 look for?  
 7 **A. He got copies of the 101 and everything I got**  
 8 **from BPR went to him.**  
 9 **Q.** You didn't prepare these though, did you?  
 10 **A. No.**  
 11 **Q.** Did you prepare anything to tell him the scope of  
 12 this investigation?  
 13 **A. Not that I recall.**  
 14 **Q.** Did you give him an e-mail that told you the  
 15 scope of the investigation?  
 16 **A. I may have forwarded the e-mail.**  
 17 **Q.** Do you have direct recollection of doing it?  
 18 **A. I do not.**  
 19 **Q.** And your testimony before is you might have  
 20 destroyed it, right, thrown it away?  
 21 **A. I said I don't know what I did with it. I may**  
 22 **have.**  
 23 **Q.** I'm showing you what's been already marked Ignatz  
 24 4. Have you ever seen this Statute before, 2908 and  
 25 2909?

1 **A. I believe I have, yes.**  
2 **Q.** In the course of your adjudication, did you look  
3 at the Statute?

4 **A. I don't recall if I did or not.**

5 **Q.** Were you familiar with this Statute at the time  
6 of the adjudication?

7 **A. I don't recall if it was, to what degree then**  
8 **versus now.**

9 **Q.** Are you familiar with this Statute and its  
10 requirement?

11 **A. I think so, yes.**

12 **Q.** Does this Statute apply to members of the  
13 Pennsylvania State Police?

14 **A. Yes, sir.**

15 **Q.** Is it true that this Statute imposes on the law  
16 enforcement agency the duty to investigate a report of  
17 missing children, immediately to investigate?

18 **A. Yes. It says that, sir.**

19 **Q.** And the Pennsylvania State Police is a law  
20 enforcement agency?

21 **A. Yes.**

22 **Q.** Okay. And that Statute would apply to members of  
23 the State Police such as Tripp or Wizner?

24 **A. Yes.**

25 **Q.** And if Wizner were not complying with the

1 **Q.** Okay. So, the complaint would have fallen within

2 this purview we're talking about, not causing children  
3 to be put into NCIC. It's not that difficult, Major.

4 **A. Sergeant Tripp was not assigned an investigation.**

5 **Sergeant Tripp was assigned to supervise the station.**

6 **There was an assigned investigator, a criminal**

7 **investigation supervisor. Then there's Sergeant Tripp**

8 **supervising that portion of it. He is not directly**

9 **responsible for interviewing, ensuring the assignment or**

10 **conduct of the investigation. He was responsible for**

11 **supervising the whole station.**

12 **Q.** All right. Let's do it this way; Major, if a

13 trooper isn't doing his job and the next line supervisor

14 isn't doing his job, you as a Major, look into that,

15 would you be able to hold Tripp responsible?

16 **A. To the extent they're aware that the person is**

17 **not conducting their jobs properly, yes. I would hold**

18 **them accountable for that.**

19 **Q.** We agree that Wizner did not place the children,  
20 the Bush children into the NCIC data?

21 **A. Yes.**

22 **Q.** We agree that the supervisor, Peters, was it?

23 **A. No.**

24 **Q.** Who was it?

25 **A. Corporal Wheeler.**

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1 Statute, whose duty, if anybody, in his barracks, would  
2 it have been to ensure the requirements of this Statute  
3 were followed?

4 **A. Any of the supervising members at the station.**

5 **Q.** That would include Tripp?

6 **A. Yes.**

7 **Q.** Was there an allegation that Tripp, that he  
8 wasn't causing the Bush children to be -- that he wasn't  
9 causing, he was holding up, the entry of David Bush's  
10 children into the data base?

11 **MR. HENZES:** Read the Complaint. What  
12 allegation, if you want to be specific?

13 **BY MR. PURICELLI:**

14 **Q.** Major?

15 **A. I would read the allegation, Counsel. Sergeant**  
16 **Tripp not only didn't do his job, failed as required by**  
17 **law, regardless of circumstances and without delay, to**  
18 **enter David Bush's children into the NCIC.**

19 **Q.** Is one of his jobs as a supervisor, to ensure the  
20 children are required to be entered into NCIC as  
21 missing.

22 **A. One of his jobs is to oversee the operations of**  
23 **the station. That is one of the operations that could**  
24 **occur in the station. So, by extension, he is**  
25 **responsible for that oversight.**

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1 **Q.** Corporal Wheeler didn't place the children into  
2 the NCIC?

3 **A. We can agree to that.**

4 **Q.** Would the next person above them, being Tripp?

5 **A. Yes.**

6 **Q.** There was nobody else bigger than, higher in  
7 command than Tripp at that station. Is that true?

8 **A. That is true.**

9 **Q.** Is it also true that another station doesn't  
10 supervise other joining stations?

11 **A. Yes. That is true.**

12 **Q.** It would then become your responsibility or  
13 people between you then, correct?

14 **A. Correct.**

15 **Q.** You knew nothing about it and your staff,  
16 correct, this investigation until after the complaint?

17 **A. I knew nothing.**

18 **Q.** How about your staff? Did your staff know, the  
19 people that fall below you, from Tripp?

20 **A. I believe he wasn't falling below me at the time.**

21 **MR. HENZES:** What time are you talking?

22 **MR. PURICELLI:** Before the children were  
23 recovered, this whole thing.

24 **MR. HENZES:** That wasn't his staff.

25 **THE WITNESS:** I wasn't there. I don't know.



1 BY MR. PURICELLI.  
 2 **Q.** Did you read anything if anybody knew anything  
 3 outside the troop barracks?  
 4 **A. Did I read anything?**  
 5 **Q.** Yeah. Did you find out that anybody above Tripp  
 6 knew that the Bush children --  
 7 **A. I found out?**  
 8 **Q.** Yes.  
 9 **A. Yeah. I think Lieutenant Peters may have been**  
 10 **aware of, the crime section commander at the time. But**  
 11 **I don't have anything that I read that told that.**  
 12 **Q.** What makes you think that?  
 13 **A. Probably our discussions about this case.**  
 14 **Q.** Before or after the lawsuit started?  
 15 **A. Before or after the lawsuit was started?**  
 16 **Q.** Right.  
 17 **A. I don't recall.**  
 18 **Q.** What was it that Peters told you?  
 19 **A. I don't know what Peters told me directly.**  
 20 **Q.** Okay. Tell me what you learned.  
 21 **A. I don't recall how I learned it, Counsel.**  
 22 **Q.** I didn't ask how you learned. Tell me what you  
 23 learned.  
 24 **A. Peters at some point may have been aware what was**  
 25 **going on in this case.**

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1 **Q.** Let's assume that Peters didn't tell you. Okay.  
 2 Let's assume for this question, he didn't. Somebody  
 3 else did.  
 4 **A. Okay.**  
 5 **Q.** Would it be your practice as a member of the  
 6 State Police as supervisor, to then go talk to him and  
 7 say, what do you mean?  
 8 **A. For me to go and talk to see what he knew?**  
 9 **Q.** Yeah. Say, I heard you know something. Is that  
 10 true or not? Something to that effect?  
 11 **A. It may have been a reasonable course of action,**  
 12 **yeah.**  
 13 **Q.** Do you recall doing that?  
 14 **A. I don't recall a specific discussion with**  
 15 **Lieutenant Peters, no.**  
 16 **Q.** Do you know, can you tell me anything that would  
 17 cause me to think that you weren't acting reasonable,  
 18 that you were told that, that you wouldn't go approach  
 19 Peters?  
 20 **A. I don't believe that Peters had any independent**  
 21 **knowledge what the rest of the people involved in this**  
 22 **investigation did. Peters was given the same, given at**  
 23 **some point, a portion of the information, the same stuff**  
 24 **that I ended up with at that point.**  
 25 **Q.** Christopher Bush worked in a law enforcement

1 agency. Isn't that true?  
 2 **A. Yes.**  
 3 **Q.** And is it also true from your understanding of  
 4 the Statute where it's read, doesn't say that the duty  
 5 of a law enforcement agency to put children into the  
 6 missing child data bank is limited to the agency that  
 7 was investigating it?  
 8 **A. I don't see that anywhere in the Statute.**  
 9 **Q.** Okay.  
 10 **A. The first duty under 2908A1 is that they have to**  
 11 **investigate the report of a missing child immediately.**  
 12 **Detective Bush had no jurisdiction to investigate that**  
 13 **matter.**  
 14 **Q.** Why didn't he? Is it a felony?  
 15 **A. There is no --**  
 16 **Q.** Is it a felony, Major?  
 17 **A. There is no reason that I know of that gave him**  
 18 **any jurisdiction whatsoever to investigate the case.**  
 19 **Q.** You did read the two Statutes?  
 20 **A. I did, Counsel. There is nothing that leads me**  
 21 **to believe -- there is nothing in there.**  
 22 **Q.** That is fine. My question was isn't child  
 23 concealment a felony in this state?  
 24 **A. Concealment of the whereabouts of a child.**  
 25 **Q.** Yes. And the concealment applies to anybody who

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1 actively removes the children or prevents them from  
 2 returning? Isn't that true?  
 3 **A. Concealment applies to anybody that?**  
 4 **Q.** That would be the person removing them, allowed  
 5 them or preventing them from being returned. Isn't that  
 6 true?  
 7 **A. Uh-huh.**  
 8 **Q.** So, isn't it also true that the Concealment  
 9 Statute, that the person who is allowing another person  
 10 to conceal is just as guilty as the person who is  
 11 actually hiding the children?  
 12 **A. I don't know that I recall seeing that in the**  
 13 **Statute. Generally, goes to conspiracy to engage in a**  
 14 **crime covered. I don't know that I saw that**  
 15 **specifically in that section.**  
 16 **Q.** If State Police such as Trooper Tripp or Sergeant  
 17 Tripp or any of the people of law investigating that  
 18 learned the whereabouts of the children, what was their  
 19 duty?  
 20 **A. I think the duty requested by the district**  
 21 **attorney was to locate the mother and just check on the**  
 22 **welfare of the children.**  
 23 **Q.** What was the duty under law, not what the  
 24 district attorney told him was?  
 25 **A. I don't know what you're referring to, Counsel.**

1 Q. If you don't know, you can't answer the question.  
2 What was the duty under State Police regulations,  
3 if you know?  
4 **A. I don't know if there is any specific regulation**  
5 **that directly refers to it.**  
6 Q. Fair enough. You don't know.  
7 If you draw your attention to Statute 2909A, just  
8 above the B.  
9 **A. Uh-huh.**  
10 Q. Okay.  
11 **A. 2909. I'm sorry.**  
12 Q. Concealment of whereabouts of a child, that is  
13 what Wheeler was investigating?  
14 **A. Wizner, sir.**  
15 Q. Ignatz, 508, mark. So, you can see. That is  
16 what he was investigating, correct?  
17 **A. Correct.**  
18 Q. Okay. We've identified F050891031, is the  
19 incident number?  
20 **A. Correct.**  
21 Q. 2909 would have been the specific Statute he was  
22 investigating because it's referenced on the reports,  
23 correct?  
24 **A. Yes, sir.**  
25 Q. So, the Statute we're looking at, he was

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1 investigating, correct?  
2 **A. Correct.**  
3 Q. All right. Now, if we look at the Statute, under  
4 A, and there is a sentence off to the right column,  
5 starts with for the purpose. Do you see that?  
6 **A. For purposes of the section?**  
7 Q. The term remove. So, it defines what removes  
8 mean, right?  
9 **A. Yes.**  
10 Q. And it includes preventing the child from being  
11 returned to the child's known place of residence,  
12 doesn't it?  
13 **A. Preventing a child from or preventing the**  
14 **children, yes.**  
15 Q. Okay. So, any person who prevents the child  
16 through any act from being returned to the child's  
17 residence?  
18 MR. HENZES: Known, known.  
19 MR. PURICELLI: You can argue all you want.  
20 MR. HENZES: No, no. Read the Statute,  
21 right. Read the Statute right. Read the Statute right  
22 because you keep reading the Statute. Read it right.  
23 MR. PURICELLI: It says preventing a child  
24 from returning or being returned.  
25 MR. HENZES: To known.

1 MR. PURICELLI: You can interpret it the way  
2 you want. It's a legal issue.  
3 MR. HENZES: I'm only reading what the  
4 Statute says because you keep making reference to it.  
5 MR. PURICELLI: Let me just get the  
6 deposition done.  
7 MR. HENZES: If that's the case, why are we  
8 talking about wire tapping crap?  
9 MR. PURICELLI: We didn't get there yet.  
10 BY MR. PURICELLI:  
11 Q. If the State Police knew the whereabouts of the  
12 children and didn't disclose it to the father,  
13 preventing him from returning the children?  
14 **A. Prevented him from --**  
15 Q. By not disclosing to him that they learned where  
16 the children were, would they be preventing him from  
17 going and returning the children?  
18 **A. If the State Police knew.**  
19 Q. The children were in Virginia.  
20 **A. If we knew the children were in Virginia and we**  
21 **didn't tell the father.**  
22 Q. Right.  
23 **A. That would prevent the father from knowing where**  
24 **they were.**  
25 Q. Right. And returning the children, correct?

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1 **A. And knowing where they're at and what actions you**  
2 **can take from that, yes.**  
3 Q. What reason do you know, under the State Police  
4 policy that says the State Police can make a conscious  
5 decision if they learned the whereabouts, not to tell  
6 the father?  
7 **A. I think there is nothing written that can show**  
8 **that, that says that.**  
9 Q. There's no policy that tells a State Police  
10 member they're to make a decision about whether the  
11 children should be returned or not who have been  
12 concealed by one of the other parents?  
13 **A. I don't know of any policy that says that.**  
14 Q. Now, there was a CLEAN Investigation into the  
15 NCIC -- into the Bush children, correct?  
16 **A. Correct.**  
17 MR. HENZES: CLEAN investigation or the  
18 entry? There was an investigation into the entry.  
19 MR. PURICELLI: Whatever.  
20 -----  
21 (Whereupon Exhibit No. Hill 5, Report, was  
22 marked for identification.)  
23 -----  
24 BY MR. PURICELLI:  
25 Q. It's your testimony at some time you made a



1 request for an inquiry of the CLEAN Unit for the State

2 Police to look into the entry by Christopher Bush, true?

3 **A. True.**

4 **Q.** Have you ever seen that report before that we  
5 marked as Hill 5?

6 **A. Yes, I have.**

7 **Q.** Do you recall what the first time was that you  
8 saw this?

9 **A. I'm guessing sometime after the date it was**  
10 **completed. I don't recall the actual date.**

11 **Q.** And did you learn at any time before you saw this  
12 report that your request for an inquiry into the CLEAN  
13 entry had been granted?

14 **A. I don't know that I heard that it wasn't granted.**

15 **Q.** When you made your request, you made it as a  
16 captain?

17 **A. Yes.**

18 **Q.** Okay. And you made that request of a person in a  
19 lesser ranking than you?

20 **A. I made it, yes.**

21 **Q.** Did that person that you made the request of have  
22 the election to say yes or no?

23 **A. People of a lesser rank generally don't disobey**  
24 **orders but they certainly ask questions about an order,**  
25 **saying yes or no is a little bit tightly confined to**

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1 **your question. Generally speaking, they obey the**  
2 **orders.**

3 **Q.** So, it really wasn't a request, was it? A  
4 superior officer requesting a subordinate or less to do  
5 something, was it?

6 **A. You may certainly couch in that language.**

7 **Q.** Well, if the person had not done it, would they  
8 have been subject to discipline?

9 **A. If I chose to do that, I imagine if they directly**  
10 **refused what I asked them to do, yes.**

11 **Q.** Did you tell someone that you were requesting to  
12 do something that he had the choice not to do it?

13 MR. HENZES: Why are we getting into it? It  
14 was done. We talked about shit that we knew was done  
15 for an hour and a half. Why are you badgering with him  
16 over nonsense?

17 THE WITNESS: Can I take a break?

18 MR. PURICELLI: You can.

19 -----

20 (Whereupon, a short break was taken.)

21 -----

BY MR. PURICELLI:

23 **Q.** I'm showing you what has been marked as Hill 5.

24 **A. Right.**

25 **Q.** Have you seen that document before?

1 **A. Yes.**

2 **Q.** All right. Now, this document was created by  
3 Richard T. Fultz, correct?

4 **A. Correct.**

5 **Q.** Have you had any conversation with him before he  
6 indicated he started this investigation?

7 **A. Before? No, not to my knowledge.**

8 **Q.** And he indicates on his report February 12th,  
9 2007, he started this investigation, correct?

10 **A. Uh-huh.**

11 **Q.** And do you know whether or not that date is  
12 before or after you received Christopher Bush's  
13 complaint and incident report?

14 **A. It was after I received the complaint but I don't**  
15 **have a specific recollection of the date.**

16 **Q.** Okay. But you're comfortable saying that this  
17 investigation date start was after you had already  
18 tasked Hile to --

19 **A. It would seem so, yes.**

20 **Q.** Okay. Your attorney and I were having a  
21 discussion just before we took a break, maybe could  
22 short the point?

23 **A. Sure. If I may?**

24 **Q.** Yeah.

25 **A. I'll attempt -- I often will request somebody to**

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1 **do something in the form of a request and asking**  
2 **somebody to complete a task. And I do not stand around**  
3 **and say I order you to do this or that.**

4 **Q.** All right. And I have been on this side of the  
5 line arguing on a request or an order and arguing back  
6 to me by the State Police Department when we say a  
7 request, we're really giving a direction, an order. We  
8 don't say order, a play on words thing.

9 **A. I don't know if you can call it a play on words.**

10 **Q.** Can we cut through the chase of all that? When  
11 you requested, you're essentially saying, I'm the  
12 captain. I want this done?

13 **A. Essentially, that's the gist of the message, yes.**

14 **Q.** So, cutting through the chase, you wanted  
15 Christopher Bush's entry investigated by CLEAN, to see  
16 if there was wrong doing. And you wanted that after  
17 Christopher Bush already complained about Tripp?

18 **A. Yes.**

19 **Q.** And you knew about the complaint Bush made  
20 against Tripp?

21 **A. Yes.**

22 **Q.** Okay. Did you know at that time that the law  
23 protected Christopher Bush from retaliation in any form  
24 from making that complaint?

25 **A. Did I know?**

1 Q. Did you know federal law of the Civil Rights Act,  
2 the First Amendment, protected Christopher Bush from  
3 reprisal, retaliation, adverse action, however you want  
to describe it, for making the complaint against Tripp?

5 A. Yeah. I could not retaliate against Detective  
6 Bush for making the report. I think that's accurate,  
7 yes.

8 Q. And you knew that if it was deemed retaliation,  
9 you would be subject to liability?

10 A. I think that's accurate, yes.

11 Q. What I mean by liability, you may be determined  
12 that you violated civil rights?

13 A. Yeah.

14 Q. Potentially lose your job as a State Police. You  
15 knew all that, correct?

16 A. Correct.

17 Q. Did you know writing the letters to Duffy --  
18 strike that, to the Board of Supervisors could be viewed  
19 as a retaliatory act?

20 A. I don't know that I ever thought that. No, sir.  
21 Could it be viewed by anybody as anything? I'm sure it  
22 could.

23 Q. Did you consult with anyone as to whether you  
24 should or shouldn't send that letter.

25 A. I don't recall.

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1 Q. Did you do any legal research to see if that  
2 could be deemed a retaliatory act?

3 A. Not that I recall.

4 Q. You knew that retaliation was illegal?

5 A. I think you can say that, yes.

6 Q. Was this general investigation by Fultz reviewed  
7 during the adjudication?

8 A. Yes. I believe it was.

9 Q. And you knew then when you adjudicated the  
10 complaint against Tripp that the CLEAN Department that  
11 had done the investigation you requested, determined  
12 there was no CLEAN Rule violation?

13 A. Correct.

14 Q. And a CLEAN investigation wasn't delegated to  
15 determine whether Christopher Bush did or didn't have  
16 jurisdiction to make that entry, were they?

17 A. No. I believe that was my main concern.

18 Q. There is no mention in here as to the act, the  
19 Police Jurisdictional Acts. Is there, by Fultz?

20 A. Chief Duffy was advised that this was an  
21 administrative investigation concerning only the NCIC  
22 entries made by Detective Bush. His department did not  
23 have jurisdiction to make entries as the children were  
24 not missing in his jurisdiction and not associated with  
25 the IAD or any other investigation. It's goes on from

1 there.

2 Q. Uh-huh. No mention of the Statutes that you're  
3 referring to, right?

4 A. There is no mention of the Statutes I referred to  
5 specifically by number.

6 Q. It does however, specifically mention  
7 Christopher's Bush's filing of the IAD complaint,  
8 doesn't it?

9 A. It does, yes.

10 Q. How did they learn about the complaint?

11 A. I would imagine the discussions when we asked to  
12 have the NCIC entry looked into. We were doing an IAD  
13 complaint.

14 Q. Did you mention when you were making your  
15 request, that there was a complaint by Christopher Bush  
16 about Tripp being investigated?

17 A. Did I mention it to who?

18 Q. To the CLEAN Unit, persons you were making the  
19 request?

20 A. I don't believe that I ever talked directly at  
21 the assignment portion, the CLEAN Unit.

22 Q. Isn't it true that a complaint against troopers  
23 being investigated by IADs are confidential?

24 A. Well, I can't conduct an investigation without  
25 letting someone know what you're doing.

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1 Q. CLEAN wasn't delegated to look into the  
2 complaint. They were delegated to look into Christopher  
3 Bush's entry, correct?

4 A. Correct.

5 Q. And why he entered the children had nothing to do  
6 about his complaint against Tripp, did it?

7 A. Well, I think it most certainly did.

8 Q. Tell me why.

9 A. I thought it was relevant.

10 Q. Why would it be needed to know by someone whether  
11 investigating the belief that the person shouldn't have  
12 made an entry or not have also made a complaint against  
13 a state trooper or a state trooper sergeant?

14 A. I don't know you can parcel out from what you  
15 investigate and what you don't investigate. The  
16 circumstances behind the entire course of events. The  
17 totality of the course of the circumstances I believe is  
18 the common term, sir.

19 Q. Were you trying to influence the investigation by  
20 saying that the person you wanted investigated for  
21 conduct which may or may not be appropriate had just  
22 made a complaint?

23 A. Counsel, I didn't talk to anybody in the CLEAN  
24 Unit prior to assignment.

25 Q. Are you saying you didn't disclose to Fultz's